REMARKS

We are in receipt of the Office Action dated December 23, 2003, and the above amendment and following remarks are made in light thereof.

Claims 1-12 are pending in the application. Pursuant to the Office Action, claims 1-12 are rejected under 35 USC 112, first paragraph for failing to comply with the written description requirement. The examiner contends that the deletion of the term "organic" from various claims pursuant to Amendment A results in the claims containing subject matter not described in the specification. Pursuant to the present amendment, claims 1, 3, 5, 7, 9 and 11 have been amended to include the reference to an "organic compound."

Claims 1-4 are rejected under 35 USC 103(a) as being unpatentable over O'Brien et al. over Baldo et al., either reference in view of Salbeck et al. Claims 5-12 are rejected under 35 USC 103(a) as being unpatentable over Grushin et al. U.S. 2002/0121638 A1 in view of Salbeck et al.

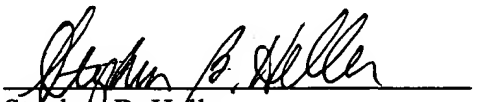
An object of the present invention is to suppress the time deterioration of luminance and to increase the element life in an EL element that is capable of converting triplet excitation energy into light to be emitted. A further object of the invention is to provide an organic EL element having high luminous efficiency and higher durability then a conventional element. One of the features of the present invention is that a spiro compound is used for the EL element for converting triplet excitation energy into light to be emitted. Very large excitation energy is necessary so that the phosphorescence material emits light. A material that requires a large excitation energy tends to undergo morphological change, such as aggregation or crystallization, since the molecular weight thereof is usually small. Therefore, the EL element that converts triplet excitation energy into light to be emitted must use a material that can undergo

morphological change, as compared to an EL element capable of converting singlet excitation energy into light to be emitted. The high durability associated with the increase of glass transition temperature and high molecular stability become possible by using the spiro compound. Thus, from the aspect of increasing the triplet excitation energy and improving film quality, a spiro compound is used more effectively in the EL element converting triplet excitation energy into light to be emitted, rather than in an EL element converting singlet excitation energy into light to be emitted.

With the foregoing in mind, applicant respectfully submits that the examiner's reliance on Salbeck et al. is not warranted. First, Salbeck et al. do not disclose an organic compound for converting triplet excitation energy into light to be emitted (phosphorescence material). Second, Salbeck et al. do not disclose either the intention or the advantage of using a spiro compound for the organic compound. Therefore, applicant submits that there is no motivation to combine Salbeck et al. with either O'Brien et al. or Baldo et al.

In view of the foregoing, applicant respectfully submits that the application is in condition for allowance, and an early Office Action in this regard is earnestly solicited.

Respectfully submitted,



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